
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: BORDERS et al.

Attorney Docket No.: WVANP011

Application No.: 09/810,891

Examiner: Boyce, Andre D.

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Filed: March 16, 2001

Group: 3623

AUG 11 2006**Title: SCHEDULING DELIVERY OF
PRODUCTS VIA THE INTERNET**

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 11, 2006.

Signed: Patricia Tate

Printed Name: Patricia Tate

**INFORMATION DISCLOSURE STATEMENT
AFTER FINAL ACTION OR NOTICE OF ALLOWANCE
(37 CFR §§ 1.56 AND 1.97(d))**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The references listed in the attached PTO Form 1449, a copy of which is attached, may be material to examination of the above-identified patent application. Applicants submit this reference in compliance with their duty of disclosure pursuant to 37 CFR §§1.56 and 1.97. The Examiner is requested to make this citation of official record in this application.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that this reference indeed constitutes prior art.

This Information Disclosure Statement is being filed after the mailing date of final action under §1.113 or a notice of allowance under §1.311, and with the payment of the issue fee.

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Accompanying this Information Disclosure Statement is the fee set forth in 37 CFR 1.17(p).

The undersigned hereby states:

☐ that each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application no more than three months prior to the filing of the Information Disclosure Statement, or

☒ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

If it is determined that any additional fees are due, please let us know.

Respectfully submitted,



Peter P. Tong
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Fax: 650-902-9800

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Atty. Docket No. WVANP011

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| Form 1449 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary) | Atty. Docket No. | WVANP011 |
| | Application No.: | 09/810,891 |
| | Applicant | BORDERS et al. |
| | Filing Date | March 16, 2001 |
| | Group | |
| | | Page 1 of 1 |

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U.S. Patent Documents

| Examiner Initial | No. | Patent No. | Date | Patentee | Class | Sub-class | Filing Date |
|------------------|-----|------------|------|----------|-------|-----------|-------------|
| | 1. | | | | | | |
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Foreign Documents

| | | | | | | | Translation | |
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| Init. | | Document No. | Date | Country | Class | Sub-class | Yes | No |
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Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)

| | | |
|--|---|--|
| | A | www.peapod.com, including Introduction to Peapod; How Peapod Works; Peapod: Choosing a Delivery Time; Peapod: Sending Your Order; Retrieved from Internet Archive (web.archive.org) on 7/23/06, alleged date November 13, 1996, pp. 1-9. |
| | B | "Peapod Interactive Grocery Shopping and Delivery Service Now Delivers Via the Internet", Press Release, peapod.com, April 22, 1996, pp. 1-2. |
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| Examiner | Date Considered |
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Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered.
Include copy of this form with next communication to applicant.